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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Manichanh Sitivong,

Plaintiff,

v.

Jae Carlton Beasley, individually; DOES I
through X, inclusive; ROE BUSINESS
ENTITIES, I through X, inclusive,

Defendants.

Case No. 2:22-cv-00169 -APG-BNW

**Federal Defendant's Motion for
Extension of Time to Respond to
Plaintiff's Complaint**

(First Request)

The United States of America ("United States"), on behalf of Jae Carlton Beasley, by and through undersigned counsel, hereby moves for an extension of time to respond to Plaintiff's Complaint. The United States requests that the time be extended to April 1, 2022 (60 days from date of removal). The basis for this motion is as follows:

1. This action was originally brought in the Eighth Judicial District, Clark County, Nevada. The named federal defendant is Jae Carlton Beasley.

2. On January 31, 2022, the United States filed a Notice of Removal, removing the action from state to federal court.

3. Rule 81(c) of the Federal Rules of Civil Procedure provides the time in which a Defendant must answer an initial pleading in a removed action. The time provided is the later of 21 days after receipt or service of the initial pleading or seven days after the

1 removal. *See* Fed. R. Civ. P. 81(c). However, a federal officer or agency would ordinarily
2 be permitted a response time of 60 days following proper service to respond pursuant to the
3 Federal Rules. *See* Fed. R. Civ. P. 12(a)(2).

4 4. In this case, the agency was served with the Summons and Complaint on
5 November 22, 2021. However, neither the named federal defendant, nor the United States
6 has been properly served in this action in accordance with the Federal Rules of Civil
7 Procedure.

8 5. Accordingly, it is proposed and requested that the time within which the
9 United States is required to respond to Plaintiff's complaint be extended to April 1, 2022—
10 a date that is 60 days following the date of removal.

11 6. The usual sixty-day response time is needed to meaningfully evaluate the
12 allegations of the Complaint and prepare a response to that pleading.

13 Respectfully submitted this 31st day of January 2022.

14 CHRISTOPHER CHIOU
15 Acting United States Attorney


16 /s/ Skyler H. Pearson
17 SKYLER H. PEARSON
18 Assistant United States Attorney

19 **ORDER**

20 Good cause having been shown, IT IS
21 ORDERED that ECF No. 2 is GRANTED.

22 IT IS SO ORDERED

23 DATED: 9:56 am, February 01, 2022

24 

25 BREND A WEKSLER
26 UNITED STATES MAGISTRATE JUDGE
27
28

Certificate of Service

I hereby certify that on January 31, 2022, I electronically filed and served the foregoing Notice of Removal with the Clerk of the Court for the United States District Court for the District of Nevada using the CM/ECF system and via US Mail to the address below.

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-And-

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/ s/ *Skyler H. Pearson*
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